

**RECEIVED  
CENTRAL FAX CENTER****SEP 18 2006****REMARKS**

By the above amendment, Applicants have amended claims 23-26. Support for the amendment is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendment does not add new matter. Applicants respectfully request reconsideration of the present application and consideration of the following remarks and the claims.

**Claim Rejections - §112**

Claims 23-27, 30-31 and 36-38 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully submits that this rejection is improper and should be withdrawn. The specification clearly supports "A computer readable medium having stored thereon instructions for causing a computer to perform a method...." At least the following portions of the specification, in conjunction with at least Figures 1 and 2, clearly describe (and hence provide a written description of) such a computer readable medium:

FIG. 1 illustrates generally one example of a computer system incorporating the invention. Referring thereto, the computer system 100 comprises a bidirectional system bus 102 interconnecting a processor 104 such as a central processing unit (CPU), memory 106, one or more output devices 108 and one or more input devices 110. The memory 106 typically comprises random access memory (RAM) for temporary storage of information and/or read only memory (ROM) for permanent storage.

Optionally, the computer system includes a mass storage unit 112 such as a disk drive which is connected either directly or indirectly to the system bus 102. For descriptive purposes, the memory 106 and the mass

storage unit 112 are collectively referred to as "storage" when data can be stored in any type of data storage unit.

(p.9, line 24 - p.10, line 2)

FIG. 2 illustrates generally the layers of software 130 incorporated into the computer system of FIG. 1 when the invention is incorporated into an authoring tool for multimedia products.

(p. 11, lines 1 - 3)

The software 130 is stored in memory 106 or stored in mass storage unit 112 and then loaded into memory when executed. The software 130 includes an operating system 132 for controlling and coordinating the computer system 100.

(p. 11, lines 9 - 12)

It can be seen that these portions of the specification describe a computer readable medium (e.g. memory 106 and/or storage unit 112) that has stored instructions to cause the computer to perform the methods described in the application. Hence, the rejection under 35 U.S.C. §112(1) is improper.

#### Claim Rejections - §102

Independent claims 23 and 28 stand rejected under §102(b) based on Hamakawa et al., "Object Composition and Playback Models for Handling Multimedia Data", Proceedings of the first ACM International Conference on Multimedia, Pages:273-281, August 1993 (hereinafter "Hamakawa").

Claim 23 recites, in pertinent part:

displaying a starting state of multimedia content;  
**determining automatically which recorded actions satisfy a specified  
criteria; and  
playing back a sequence of only those determined recorded actions  
in chronological order on an output device.**

(Emphasis added)

In contrast, Hamakawa does not teach or suggest the above emphasized limitations. Hamakawa discloses an object composition model and a playback model for handling multimedia data (Abstract). The object composition model deals with the static aspects of multimedia objects. The object playback model deals with the objects for playing back multimedia objects. Hamakawa, however, contains no discussion of, nor does it hint at, the concept of "action," which is defined in the present application as "a goal-directed set of events which has an effect or consequence on the software title or content, thereby progressing the development of the software title or content." (the present application, page 16, lines 1-3).

Referring to Hamakawa's last paragraph of the left column on page 279, the Examiner alleges that Hamakawa teaches or suggests the limitation of determining automatically which recorded actions satisfy a specified criterion. The cited section, however, discusses determining which frame in a video should be displayed based upon the current time. A frame is not an action as defined in the present application. Further, as far as the cited section discloses, the goal of deciding which frame in a video to display is to keep ideal playback rate. Even assuming *arguendo* that the goal of keeping ideal playback rate may be considered as a specified criterion, the determination is not whether a frame satisfies the goal, but whether displaying or

skipping the frame satisfies the goal. Thus, Hamakawa does not teach or suggest the limitation of determining automatically which recorded actions satisfy a specified criterion. As a further result, Hamakawa certainly does not teach or suggest playing back a sequence of only those determined recorded actions in chronological order on an output device. Thus, at least for the foregoing reasons, claim 23 is patentable over Hamakawa.

Claim 28 recites, in pertinent part:

displaying a starting state of the content; and  
**playing back recorded actions in chronological order on said output device, an action from said recorded actions comprising a sequence of at least one event, wherein said at least one event is selected to constitute said action based on a preset criterion.**  
(Emphasis added)

In contrast, Hamakawa does not teach or suggest the above emphasized limitation. As discussed above, Hamakawa does not teach or disclose the concept of "action." Further, Figure 7 on page 288 discusses a composite object composed of a video object and an audio object. There is no discussion of an action as defined by the present application, much less an explanation associated with the action. Further, Hamakawa does not teach an "action...comprising a sequence of at least one event, wherein said at least one event is selected to constitute said action based on a preset criterion." There is no such preset criterion in the reference which is used to select an "action." Thus, at least for the above reasons, claims 28 and 30 are patentable over Hamakawa.

Claim rejections - §102

Independent claims 19, 23-26, 28, 32, 35 and 39 stand rejected under §102(b) based on Hardman et al., "Structure Multimedia Authoring", Proceedings of the first ACM International Conference on Multimedia, Pages 283-289, August 1993 (hereinafter "Hardman").

Claim 19 recites:

19. A method for recording and reviewing actions performed during development of software content created using a tool on a computer system having a processor and memory, said method comprising:

- receiving one or more user events;
- determining which events and sequences of events constitute actions;**
- determining whether an explanation accompanies an action;**
- recording the determined actions; and
- recording the determined explanations such that a recorded explanation of a recorded action is associated with the recorded action.

(Emphasis added)

In contrast, Hardman does not teach or suggest the above emphasized limitations. Hardman discloses a rich hypermedia document model allowing structure-based composition of multimedia presentations and the specification of synchronization constraints between constituent media items (Abstract). Citing Hardman's left column of page 286, the Examiner alleges that the cited section teaches or suggests determining which events and sequences of events constitute actions. As disclosed in Hardman on page 285, the multimedia presentation has a hierarchical structure whose leaf nodes are the data nodes which are played in the presentation and whose non-leaf nodes are composite nodes containing a collection

of other composite nodes and/or data nodes. The Examiner cited section (left column of page 286) continues to discuss the hierarchical structure and uses Figure 3 as an example. Thus, the hierarchical structure is a combination of multimedia data. It does not teach or suggest an action as defined in the present invention, much less determining which events and sequences of events constitute actions.

The Examiner further alleges that the left column of Hardman's page 286 teaches or suggests determining whether an explanation accompanies an action. Specifically, the Examiner suggests that "note names, explicit duration, comment" disclosed in the cited section may be considered as an explanation. However, as discussed above, Hardman does not teach or suggest action. Thus, even assuming *arguendo* that "note names, explicit duration, comment" may be considered as an explanation, Hardman does not teach an explanation accompanying an action. Thus, at least for the foregoing reasons, claim 19 is patentable over Hardman.

Independent claim 39 contains limitations about an explanation relative to an action, and hence claim 39 is also patentable over Hardman.

As discussed above, independent claim 23 recites the limitations of determining automatically which recorded actions satisfy a specified criterion, and playing back a sequence of only those determined recorded actions in chronological order on an output device. Hardman does not teach or suggest these limitations. The Examiner, however, cites Hardman's section 4.1.2 on page 286, figures 3-4 and section 4.3 on page 288 as support in alleging Hardman teaches or suggests these limitations. The cited sections, however, disclose how to create a hierarchical structure and assigning multimedia data nodes at the leaves of the structure and how a player may control the playing of the multimedia presentation. The hierarchical

structure and the data nodes contained are not actions, as recited in claim 23. Thus, even though any selection in the hierarchical structure (composite node or data node) can be played, what is selected is multimedia data, not an action. Thus, Hardman does not teach or suggest determining automatically which recorded actions satisfy a specified criterion, and much less playing back a sequence of only those determined recorded actions in chronological order on an output device. At least for the foregoing reasons, claim 23 is patentable over Hardman.

Similarly, independent claims 24 and 25 each recite limitations about actions, and hence claims 24 and 25 are also patentable over Hardman.

Claim 26 recites, in pertinent part:

**the action class list comprises a plurality of action class description fields, each action class description field having a first field containing data which specifies a particular action class and a second field containing data which specifies a generic explanation of the action specified in the corresponding first field, wherein the action class list is used during playback of an action to determine an explanation associated with the action class of the action and to accompany the played back action with the determined explanation.**

In contrast, Hardman does not teach or suggest the above emphasized limitations. As discussed above, Hardman does not teach or suggest action. Thus, Hardman does not teach or suggest action class list, either. The Examiner, however, alleges that Hardman's figure 3 teaches or suggests an action class list. Hardman's figure 3 and relevant discussion discloses a hierarchical structure. The hierarchical

structure contains composite nodes or data nodes (containing multimedia data), not actions, such as recited in claim 26.

Further, also as discussed above for claim 19, Hardman does not teach or suggest determining whether an explanation is associated with an action. Thus, Hardman does not teach or suggest using the action class list during play back of an action to determine an explanation associated with the action class of the action and to accompany the played back action with the determined explanation. Thus, claim 26 is patentable over Hardman.

Independent claims 28, 30, 32, 35, 36 and 39 each recite a limitation regarding an action, and hence they are all patentable over Hardman.

#### Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.



**CONCLUSION**


For all the above reasons, Applicants submit that the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore they submit that all rejections have been overcome and that all pending claims are in condition for allowance, which action they respectfully solicit.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due or credit any overages. If an extension is required, Applicants hereby request such extension.

Respectfully Submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 9/18, 2006

  
James C. Scheller, Jr.

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1030  
(408) 720-8300